

**U.S. District Court
Eastern District of Virginia – (Richmond)
CIVIL DOCKET FOR CASE #: 3:13-cv-00169-JRS**

Gluckman v. United States Department of Labor
Assigned to: District Judge James R. Spencer
Cause: 05:552 Freedom of Information Act

Date Filed: 03/18/2013
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**David Elliott Gluckman**

represented by **Jonathan Lee Moore**
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Defendant**United States Department of Labor**

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Date Filed	#	Docket Text
03/18/2013	<u>1</u>	COMPLAINT against United States Department of Labor (Filing fee \$ 350, receipt number 34683020410.), filed by David Elliott Gluckman. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Receipt)(kyou,) (Entered: 03/18/2013)
03/18/2013	<u>2</u>	Summons Issued as to United States Department of Labor, U.S. Attorney and U.S. Attorney General(placed in pick-up box for counsel) (kyou,) (Entered: 03/18/2013)
03/28/2013	<u>3</u>	Certificate Reporting Service by United States Department of Labor. United States Department of Labor served on 3/18/2013, answer due 5/17/2013. (NOTE: DEADLINE FOR ANSWER RESET TO 4/17/2013 REFLECTING 30-DAY RESPONSE PERIOD FOR A FOIA CASE.) (cmcc,) (Entered: 03/29/2013)
04/01/2013	<u>4</u>	SUMMONS Returned Executed: Service by certified mailed received by United States Attorney for the EDVA 3/18/13 (lsal) (Entered: 04/01/2013)
04/17/2013	<u>5</u>	ANSWER to <u>1</u> Complaint, by United States Department of Labor. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Wu, Elizabeth) (Entered: 04/17/2013)
04/24/2013	<u>6</u>	NOTICE OF PRETRIAL CONFERENCE(khan,) (Entered: 04/24/2013)
04/24/2013		Set/Reset Hearings: Initial Pretrial Conference set for 5/23/2013 at 09:15 AM in Chambers before District Judge James R. Spencer. (khan,) (Entered: 04/24/2013)
05/20/2013	<u>7</u>	NOTICE by David Elliott Gluckman <i>of Unwillingness to Proceed Before the U.S. Magistrate Judge</i> (Moore, Jonathan) (Entered: 05/20/2013)

05/23/2013		Minute Entry for proceedings held before District Judge James R. Spencer:Initial Pretrial Conference held on 5/23/2013. (khan,) (Entered: 05/23/2013)
05/23/2013	<u>8</u>	PRETRIAL ORDER. Signed by District Judge James R. Spencer on 5/23/13. (khan,) (Entered: 05/23/2013)
05/23/2013	<u>9</u>	NOTICE to Counsel that the parties have chosen to proceed in this case without the initial disclosures specified in Rule 26(f) (khan,) (Entered: 05/23/2013)
06/05/2013		Set/Reset Hearings: Bench Trial set for 9/5/2013 at 09:30 AM in Richmond Courtroom 7000 before District Judge James R. Spencer. (khan,) (Entered: 06/05/2013)
06/21/2013	<u>10</u>	NOTICE by David Elliott Gluckman <i>of Compliance with Scheduling and Non-Jury Pretrial Order</i> (Moore, Jonathan) (Entered: 06/21/2013)
07/17/2013	<u>11</u>	Joint MOTION to Vacate <u>8</u> Pretrial Order <i>and Enter Briefing Schedule</i> by United States Department of Labor. (Attachments: # <u>1</u> Proposed Order)(Wu, Elizabeth) (Entered: 07/17/2013)
07/19/2013	<u>12</u>	ORDER that Defendant's dispositive motion shall be filed on or before August 2, 2013; Plaintiffs response to Defendant's motion and any cross-motion shall be filed on or before August 14, 2013; Defendant's reply and response to any cross-motion filed by Plaintiff shall be filed on or before August 26, 2013; and Plaintiffs reply to Defendant's response to any cross-motion shall be filed on or before August 29, 2013; It is further ORDERED that the hearing on the parties' dispositive motions shall commence at 9:30 a.m. on September 5, 2013; The Court hereby VACATES the Pretrial Order entered on May 23, 2013. Signed by District Judge James R. Spencer on 7/18/13. (kyou,) (Entered: 07/19/2013)
08/02/2013	<u>13</u>	MOTION for Summary Judgment by United States Department of Labor. (Wu, Elizabeth) (Entered: 08/02/2013)
08/02/2013	<u>14</u>	Memorandum in Support re <u>13</u> MOTION for Summary Judgment filed by United States Department of Labor. (Attachments: # <u>1</u> Declaration of W.Carlson, # <u>2</u> Exhibit 1 to Declaration, # <u>3</u> Exhibit 2 to Declaration, # <u>4</u> Exhibit 3 to Declaration, # <u>5</u> Exhibit 4 to Declaration, # <u>6</u> Exhibit 5 to Declaration, # <u>7</u> Exhibit 6 to Declaration, # <u>8</u> Exhibit 7 to Declaration, # <u>9</u> Exhibit 8 to Declaration, # <u>10</u> Exhibit 9 to Declaration, # <u>11</u> Exhibit 10 to Declaration, # <u>12</u> Exhibit 11 to Declaration, # <u>13</u> Exhibit 12 to Declaration, # <u>14</u> Exhibit 13 to Declaration, # <u>15</u> Exhibit 14 to Declaration (Vaughn Index))(Wu, Elizabeth) (Entered: 08/02/2013)
08/12/2013		Set/Reset Deadlines as to <u>13</u> MOTION for Summary Judgment . Motion Hearing set for 9/5/2013 at 09:30 AM in Richmond Courtroom 7000 before District Judge James R. Spencer. (khan,) (Entered: 08/12/2013)
08/14/2013	<u>15</u>	MOTION for Partial Summary Judgment by David Elliott Gluckman. (Moore, Jonathan) (Entered: 08/14/2013)
08/14/2013	<u>16</u>	Memorandum in Support re <u>15</u> MOTION for Partial Summary Judgment (<i>Partial</i>) filed by David Elliott Gluckman. (Attachments: # <u>1</u> Exhibit 1 - Declaration of J. Zimskind, # <u>2</u> Exhibit 2 - Sample Audit Letters (att to Zimskind Decl), # <u>3</u> Exhibit 3 - ETA Posting (att to Zimskind Decl), # <u>4</u> Exhibit 4 - Job Posting (att to Zimskind Decl), # <u>5</u> Exhibit 5 - Declaration of D. Dyer, # <u>6</u> Exhibit 6 - Sample Audit Letter (att to Dyer Decl), # <u>7</u> Exhibit 7 - Prior Declaration of W. Carlson, # <u>8</u> Exhibit 8 - Excerpt from DOL Ann Rep, # <u>9</u> Exhibit 9 - Document #17, # <u>10</u> Exhibit 10 - Unpublished Cases Cited in Pl's Mem)(Moore, Jonathan) (Entered: 08/14/2013)
08/14/2013	<u>17</u>	Memorandum in Opposition re <u>13</u> MOTION for Partial Summary Judgment filed by David Elliott Gluckman. (Attachments: # <u>1</u> Exhibit 1 - Declaration of D. Gluckman, # <u>2</u> Exhibit 2 - E-mail (att to Gluckman Decl), # <u>3</u> Exhibit 3 - Document #26, # <u>4</u> Exhibit 4 - Document #44, # <u>5</u> Exhibit 5 - Document #80, # <u>6</u> Exhibit 6 - Document #359, # <u>7</u> Exhibit 7 - July 9, 2013 E-mail, # <u>8</u> Exhibit 8 - Document #385, # <u>9</u> Exhibit 9 - Unpublished Cases Cited in Pl's Opp Mem)(Moore, Jonathan) (Entered: 08/14/2013)

08/15/2013		Set/Reset Hearings in re <u>13</u> Motion for Summary Judgment and <u>15</u> Motion for Partial Summary Judgment: Motion Hearing reset for 10/1/2013 at 9:15 AM in Richmond Courtroom 7000 before District Judge James R. Spencer (rpiz) (Entered: 08/15/2013)
08/26/2013	<u>18</u>	REPLY to Response to Motion re <u>13</u> MOTION for Summary Judgment filed by United States Department of Labor. (Attachments: # <u>1</u> Exhibit 1 Second Declaration of William L. Carlson)(Wu, Elizabeth) (Entered: 08/26/2013)
08/26/2013	<u>19</u>	RESPONSE in Opposition re <u>15</u> MOTION for Partial Summary Judgment filed by United States Department of Labor. (Attachments: # <u>1</u> Exhibit A Form 9089)(Wu, Elizabeth) (Entered: 08/26/2013)
08/29/2013	<u>20</u>	REPLY to Response to Motion re <u>15</u> MOTION for Partial Summary Judgment filed by David Elliott Gluckman. (Attachments: # <u>1</u> Exhibit 1 – Document #35, # <u>2</u> Exhibit 2 – Excerpts from Document #494)(Moore, Jonathan) (Entered: 08/29/2013)